



**MINUTES
OCONEE COUNTY COUNCIL
Regular Meeting
AUGUST 21, 2007**

MEMBERS, OCONEE COUNTY COUNCIL

Mr. George Blanchard District I
Mr. Thomas S. Crumpton, Jr., District II
Mr. Mario Suarez, District III
Mr. Marion E. Lyles, District IV, Chairman
Mr. H. Frank Ables, Jr., District V

The Oconee County Council met Tuesday, August 21, 2007 at 3:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Dale K. Surrett, Elizabeth G. Hulse, Clerk to Council & Mr. Bradley A. Norton, County Attorney present.

Press:

Members of the press notified (via mail): Keowee Courier, Westminster News, Daily Journal, Anderson Independent, WGOG Radio, WYFF TV, WLOS TV, WSPA TV & WSNW Radio.

Members of the press present: Brett McLaughlin – Daily Journal & Dave Williams - Anderson Independent.

Other Organizations Notified:

Also notified was the Oconee County Tax Payers Association.

Call to Order:

Chairman Lyles called the meeting to order at 3:00 p.m.

Pledge of Allegiance:

Mr. Crumpton led the pledge of allegiance to the US Flag.

Minutes:

Mr. Blanchard requested the Clerk to make two amendments to the minutes of the August 7, 2007 regular meeting.

Mr. Blanchard made a motion, seconded by Mr. Suarez, approved 5 – 0 that the minutes of the regular meeting held August 7, 2007 be amended and adopted.

Mr. Ables made a motion, seconded by Mr. Crumpton, approved 5 – 0 that the minutes from the Public Hearing meeting held on August 15, 2007 be adopted as printed.

Public Comment Session:

Mr. Dave Lavere addressed Council regarding his support of the “Spirit of Oconee” monument.

Mr. Berry Nichols addressed Council regarding various issues to include the Stumphouse Tunnel project, proposed sewer on I85, the current status of fire protection and the necessity to pool resources for the benefit of Oconee County.

Ms. Susie Cornelius addressed Council regarding proposed sewer on I85.

Ms. Alice Wall addressed Council regarding Council’s support for the Stumphouse Tunnel project, smart growth and the global oil situation as it relates to the proposed sewer project.

Mr. B. J. Littleton addressed Council regarding economic development, pollution and the Industrial Park, and freedom and justice for all.

Items for Consideration by Council:

Funding for the Nature Conservancy /Stumphouse Mountain Project:

Mr. Surrett addressed Council regarding funding options for the Nature Conservancy to purchase 511 acres to be designated a state Heritage Preserve as part of their Stumphouse Mountain and Issaqueena Falls Project. Mr. Surrett noted that in order to take advantage of a Recreation and Land Trust [RELT] matching grant from the South Carolina Department of Parks, Recreation and Tourism either the County or City of Walhalla must serve as the applicant on the grant and must hold title to the land. The City of Walhalla currently has park land that would be adjacent to the property in question. In addition Mr. Surrett noted that the County would not be able to transfer title to the City and keep the RELT grant.

Mr. Surrett recommended that Council give \$200,000 directly to the City of Walhalla with the proviso that they maintain title to the land and that they apply for the RELT matching grant. In addition, Mr. Surrett recommended that Council give \$100,000 directly to the Nature Conservancy making a total contribution from Council of \$300,000 toward this project. The \$300,000 would be taken from the undesignated fund balance and would be repaid over a ten [10] year period [\$30,000 yearly per fiscal year] from the Local Accommodations Tax beginning in fiscal year 2007-2008.

Mr. Crumpton made a motion, seconded by Mr. Ables, approved 5 – 0 that Council donate \$200,000 to the City of Walhalla [pending acceptance by the City] for the purpose of purchasing land to be designated a state Heritage Preserve as part of the Stumphouse Mountain and Issaqueena Falls Project which will be held by the City with the understanding that the City will apply for a matching RELT grant. The \$200,000 would be taken from the undesignated fund balance and would be repaid over a ten [10] year period [\$20,000 yearly per fiscal year] from the Local Accommodations Tax beginning in fiscal year 2007-2008.

Mr. Crumpton made a motion, seconded by Mr. Ables, approved 5 – 0 that Council donate \$100,000 to The Nature Conservancy for the purchase of land to be designated a state Heritage Preserve as part of their Stumphouse Mountain and Issaqueena Falls Project. The \$100,000 would be taken from the undesignated fund balance and would be repaid over a ten [10] year period [\$10,000 yearly per fiscal year] from the Local Accommodations Tax beginning in fiscal year 2007-2008.

Cable TV Audit:

Mr. Surrett addressed Council regarding the proposal received from Telecommunications Consulting Associates, a private entity, who would audit the two cable franchise providers in Oconee County. The proposed contract would allow this company to audit each franchise's books, evaluate compliance with their franchise agreement, and ordinances or state laws. Mr. Surrett noted that the company would not receive any money if they were not able to identify funds due to the county – the contract is on a contingency basis only with the contractor receiving fifty percent of any funds recovered.

Mr. Blanchard made a motion, seconded by Mr. Crumpton, approved 5 – 0 to authorize the County Administrator to enter into a contract with Telecommunications Consulting Associates to audit the two cable franchise providers in Oconee County.

Public Hearing: Ordinance 2007-13:

Written Comment Session:

Chairman Lyles opened the floor for submission of written comments.
No written comments were presented to Council.

Oral Comment Session:

Chairman Lyles opened the floor for oral comments.

Mr. Berry Nichols addressed Council regarding concerns with fee in lieu agreements.

Mr. Norton stated that this Ordinance will grant Johnson Controls a fee payment at six percent instead of ten and one half percent. In addition he stated that this creates an incentive for not only Johnson Controls but other industries to either locate or expand in Oconee County.

Mr. Surrett stated that in today's market if we don't enter into these agreements the County could potentially not just lose expansion of existing industry but a company might decide to relocate their plant out of the county which could result in a loss of both jobs and taxes to the county.

Ordinance 2007-13:

Mr. Blanchard made a motion, seconded by Mr. Suarez, approved 5 – 0 that Ordinance 2007-13, "AN ORDINANCE APPROVING THE AMENDMENT BY AND BETWEEN JOHNSON CONTROLS BATTERY GROUP, INC. AND OCONEE COUNTY, SOUTH CAROLINA (JOHNSON CONTROLS BATTERY GROUP, INC. PROJECT), PURSUANT TO THE PROVISIONS OF SOUTH CAROLINA CODE ANNOTATED, SECTION 4-12-30 (1976) AS AMENDED" be adopted on third and final reading.

Ordinance 2007-09:

This Ordinance was referenced to on the agenda for both the August 7, 2007 and August 21, 2007 County Council meetings as Ordinance 2007-16 in error. The correct ordinance number is 2007-09.

After a short discussion, Mr. Blanchard made a motion, seconded by Mr. Suarez, approved 5 – 0 that Ordinance 2007-09, “SIGN CONTROL ORDINANCE OF OCONEE COUNTY, SOUTH CAROLINA” be adopted as amended on third and final reading.

Mr. Blanchard made a motion, seconded by Mr. Ables, approved 5 – 0 that a Resolution be adopted authorizing the County to charge a billboard application fee of \$100.00 for each billboard.

Council Committee Reports:

Real Estate, Facilities & Land Management:

Animal Shelter Update:

Mr. Lyles reported to the Council on discussions held in Committee regarding the proposed construction of the new Animal Shelter to be shared with the Humane Society.

Mr. Lyles made a motion, approved 4 – 1 [Mr. Blanchard opposed] that Council authorize funds in the amount of \$848,835 for construction of a new Animal Control Building to be shared with the Humane Society.

“Spirit of Oconee” Monument Update:

Chief John Wire Bull Hilton addressed Council expressing gratitude for the Councils work regarding the “Spirit of Oconee” monument planned for the Courthouse grounds.

Mr. Lyles made a motion, approved 5 – 0, to authorize the Cherokee Tribe to raise funds for the monument construction with the understanding that placement of the monument will be decided upon once Courthouse corrections are made.

Next Meeting:

Mr. Lyles stated the next meeting of this committee will be held on Tuesday, September 11, 2007 at 4:00 p.m. in County Council Chambers.

Road & Transportation:

Mr. Crumpton reported to Council on discussions held in Committee regarding paving Nalley Road and closing Newman Road.

Mr. Crumpton made a motion, approved 5 – 0 that the County spend up to \$20,000 [rolling money from the gravel account to cover the expense] to pave Nalley Road; that Newman Road be closed with the proviso that the residents of Newman Road [1] file all required documents with the Court, [2] be responsible for payment of any applicable filing fees and [3] be responsible for any attorney fees for the County Attorney to have this closure accomplished; and, authorization for the County Administrator to accept on behalf of Council new roads into the county road system.

Law Enforcement, Public Safety, Health & Welfare Committee Report:

Mr. Blanchard had no report at this meeting.

Budget, Finance & Administration:

Mr. Ables had no report at this meeting.

Planning & Economic Development:

Mr. Suarez had no report at this meeting.

Administrator Report:

Mr. Surrett had no report at this meeting.

Old Business:

No old business was discussed at this meeting.

Executive Session:

Mr. Lyles asked if any member wished to enter Executive Session.
No motion was made.

New Business:

County Council Regular Meeting Change:

Mr. Lyles stated that the regularly scheduled meeting to be held on Tuesday, September 4, 2007 at 7:00 p.m. will be rescheduled to Tuesday, September 11, 2007 at 7:00 p.m.

Mr. Lyles stated that the work session meeting for an informational briefing regarding Fee-In-Lieu-Of-Tax agreements to be held on Tuesday, September 4, 2007 at 5:00 p.m. will be rescheduled to Tuesday, September 11, 2007 at 5:00 p.m.

Sewer Proposal for I85 Update:

Mr. Lyles discussed Council's meeting earlier in the day with the Oconee County Sewer Commission and representatives from Goldie & Associates. Both will be making presentations to include proposed cost estimates and timelines for construction to Council at their next scheduled meeting on September 11, 2007.

School District of Oconee County request for \$500 for the book "Cherokee Villages in South Carolina":

Mr. Lyles requested a motion for approval of this funding request.
No motion was made; this request is denied.

Walhalla Civic Auditorium requests for \$7,500.00 for Parking Lot paving:

Mr. Crumpton made a motion, seconded by Mr. Suarez, with a vote of 2 – 3 [Mr. Blanchard, Ables and Lyles opposed]. This motion failed to pass.

Pending FAA Grant for design of 600 foot runway extension at Oconee County Airport:

Mr. Crumpton made a motion, seconded by Mr. Ables, approved 5 – 0 authorizing the county Administrator to accept the FAA Grant on behalf of Council.

Lease Agreement at Oconee County Airport:

Mr. Norton requested that this lease agreement be forwarded to the Real Estate Committee for discussion at their next meeting to be held on Tuesday, September 11, 2007 at 4:00 p.m.

Oconee County CIDR Agreement [decal / registration issuance] and the Personal Information Release Agreement for local agency with SC Department of Motor Vehicles:

Mr. Crumpton made a motion, seconded by Mr. Suarez, approved 5 – 0 authorizing the County enter into a contract with the South Carolina Department of Motor Vehicles to issue decal and registration cards.

Mr. Blanchard made a motion, seconded by Mr. Crumpton, approved 5 - 0 authorizing the County to enter into a contract with Smith Data processing to allow the Treasurer’s Office to issue decal and registration cards at the time taxes are paid.

Rail & Trail Project:

Mr. Blanchard informed Council that he had been approached by a group interested in converting the rail bed between Seneca and West Union into a hiking trail.

Mr. B. J. Littleton addressed Council and stated that the rail bed is still in use to move heavy equipment to Duke Power sights.

No action was taken on this matter.

Adjourn:

Council adjourned at 5:10 PM

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council



MINUTES
JOINT OCONEE COUNTY COUNCIL MEETING
with OCONEE COUNTY SEWER COMMISSION
August 21, 2007

MEMBERS, OCONEE COUNTY COUNCIL

Mr. George Blanchard District I
Mr. Thomas S. Crumpton, Jr., District II
Mr. Mario Suarez, District III
Mr. Marion E. Lyles, District IV, Chairman
Mr. H. Frank Ables, Jr., District V

Oconee County Council met with members of the Oconee County Sewer Commission on Tuesday, August 21, 2007 at 11:00 AM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members [Mr. Suarez was not present], County Administrator Dale K. Surrent, Elizabeth G. Hulse, Clerk to Council & Mr. Bradley A. Norton, County Attorney present.

Press:

Members of the press notified (via mail): Keowee Courier, Westminster News, Daily Journal, Anderson Independent, WGOG Radio, WYFF TV, WLOS TV WSPA TV & WSNW Radio.

Member of the press present: Dick Mangrum – WGOG, Dave Williams–Anderson Independent and Carlos Garza – Daily Journal.

Members of Sewer Commission present: Lowell Ross, Commission Attorney, Mr. Bob Winchester, General Superintendent OCSC, Mr. Ron Knoerr, Mr. Mendal Stone, Mr. Scott Parris, Mr. DeWitt Martin, Mr. Jerry Opperman and Mr. William Addis.

Members of Goldie & Associates present: Mr. Steve Goldie and Mr. Paul Lewis.

Call to Order:

Chairman Lyles called the meeting to order at 11:00 a.m.

Executive Session:

Mr. Lyles asked if any member of Council wished to enter Executive Session. No motion was made.

Mr. Lyles asked members of the Sewer Commission if they wished to enter Executive Session. No request was made.

Open Session:

Mr. Bob Winchester, Oconee County Sewer Commission, thanked the Council for the opportunity to meet with them to discuss their work toward providing sewer on I85. Mr. Winchester presented Council members with a memo outlining expectations for the meeting [filed with minutes].

Mr. Winchester introduced Mr. Bob Froneberger, Engineer with W. K. Dickson Engineering, who made a lengthy and detailed presentation to Council outlining five [5] specific alternatives which are stand alone or could be combined [filed with minutes]. Mr. Froneberger noted that the cost estimates provided were likely on the high side as they included purchase of land to utilize for land application needs which would be unnecessary if the County decided to utilize land already owned at the Industrial Park.

Break:

Mr. Lyles requested a short break after Mr. Froneberger's presentation.

Open Session:

Mr. Lyles again called the meeting to order at 12:30 p.m.

Mr. Paul Lewis, Goldie & Associates, made a presentation outlining the same specifics utilizing an aerial map, discussing the plans for a treatment plant and force main system that were presented to Council at their meeting on August 15, 2007.

Council continued to question both Mr. Froneberger and members of the Oconee County Sewer Commission regarding specifics of each organizations plan.

Mr. Lowell Ross, Attorney for the Sewer Commission, questioned Mr. Goldie at length.

Council requested that both the Oconee County Sewer Commission and Goldie and Associates prepare specific long term plans to include a specific cost analysis and time line for the project for presentation at the next Council meeting to be held on Tuesday, September 11, 2007 at 7:00 p.m.

Adjourn:

Adjourn 1:25 PM

Respectfully Submitted:

Elizabeth G. Hulse
Clerk to Council